



FOR ASSISTANCE IN COMPLETING THIS FORM CONTACT

Economy and Environment
Planning Service
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Application for a Lawful Development Certificate for a Proposed Use or Development

Town and Country Planning Act 1990 (as amended)

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Site Location

Disclaimer: We can only make recommendations based on the answers given in the questions.

If you cannot provide a postcode, the description of site location must be completed. Please provide the most accurate site description you can, to help locate the site - for example "field to the North of the Post Office".

Number

Suffix

Property Name

Address Line 1

Address Line 2

Address Line 3

Town/city

Postcode

Description of site location must be completed if postcode is not known:

Easting (x)

Northing (y)

Description

Unit M3 Kingsway Business Park comprises a large commercial warehouse with associated access and car parking.

The estate comprises a range of industrial, storage and distribution premises for a range of occupiers, including Amazon, Asda, Danish Crown, CR Laurence and Takeuchi Manufacturing.

Applicant Details

Name/Company

Title

Mr

First name

Phil

Surname

Goldsworthy

Company Name

Solotech

Address

Address line 1

c/o Agent

Address line 2

Address line 3

Town/City

Solihull

County

Country

United Kingdom

Postcode

B90 8DX

Are you an agent acting on behalf of the applicant?

☒ Yes

☐ No

Contact Details

Primary number

Secondary number

Fax number

Email address

Agent Details

Name/Company

Title

First name

Surname

JLL

Company Name

JLL

Address

Address line 1

One Centenary Way

Address line 2

Address line 3

Town/City

Birmingham

County

West Midlands

Country

United Kingdom

Postcode

B3 3AY

Contact Details

Primary number

***** REDACTED *****

Secondary number

Fax number

Email address

***** REDACTED *****

Description of Proposal

Does the proposal consist of, or include, the carrying out of building or other operations?

- ☒ Yes
☐ No

If Yes, please give detailed description of all such operations (includes the need to describe any proposal to alter or create a new access, layout any new street, construct any associated hard-standings, means of enclosure or means of draining the land/buildings) and indicate on your plans (in the case of a proposed building the plan should indicate the precise siting and exact dimensions)

See accompanying Covering Letter submitted alongside this application. For ease of reference, a description of the proposal is provided below:

The proposed development comprises the installation of windows at ground floor on the south-facing elevation of Unit M3, Kingsway Business Park. The proposed windows will match the existing windows present at the first-floor level in terms of materials, dimensions and horizontal alignment. This approach will ensure architectural continuity and maintains the visual cohesion of the building's south-facing façade.

Further details of the proposed window location can be found on elevation drawing ref: 2045_XX-110_GA_Rev A. Photographic imagery depicting the existing fenestration on the southern elevation has also been submitted as part of the supporting documentation.

Does the proposal consist of, or include, a change of use of the land or building(s)?

- ☐ Yes
☒ No

Has the proposal been started?

- ☐ Yes
☒ No

Grounds for Application

Information about the existing use(s)

Please explain why you consider the existing or last use of the land is lawful, or why you consider that any existing buildings, which it is proposed to alter or extend are lawful

The lawfulness of the existing use of the land is established through extant planning permission reference 22/00373/FUL, granted on 29/06/2022. This permission grants the "Erection of 3 no. industrial/warehouse buildings (Use Class E(g)iii/B2/B8) with ancillary office areas, together with new access points, associated car parking servicing, fencing, landscaping and other associated work".

In accordance with this permission, Unit M3 has been constructed and has been in continuous occupation since 1st November 2024. The current occupier, Solotech, operates as a systems integrator and distributor of audio-visual and entertainment technology solutions, which falls within Use Class B8 as permitted by the aforementioned planning permission.

Given that the development has been implemented in line with the approved plans and conditions, and the current use is consistent with the permitted use classes, it is established that the existing use of the land and building is lawful.

Please list the supporting documentary evidence (such as a planning permission) which accompanies this application

List of supporting documentary evidence:

- Site Location Plan (Ref: LP-1)
- Site Plan / Block Plan (Ref: BP-1)
- Elevations Plan (2045_XX-110_Rev A)
- Existing GF Layout (12526_00-100)
- Proposed GF Layout (2045_00-110_GA_Rev A)
- Photographic imagery depicting the existing windows on the southern elevation (4 no.) and the ground floor interior along the unit's southern elevation (1 no.)

Select the use class that relates to the existing or last use.

B8 - Storage or distribution

Information about the proposed use(s)

Select the use class that relates to the proposed use.

B8 - Storage or distribution

Is the proposed operation or use

- ☒ Permanent
☐ Temporary

Why do you consider that a Lawful Development Certificate should be granted for this proposal?

A Lawful Development Certificate should be granted for this proposal as the proposed development falls within the scope of permitted development under Schedule 2, Part 7, Class H of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). A comprehensive assessment of the proposal against the criteria and conditions set out in Class H has been provided in the accompanying Covering Letter, demonstrating full compliance. Furthermore, there is no Article 4 Direction in force at this location that would remove permitted development rights, nor are there any restrictive conditions on previous planning permissions. The proposed installation of ground floor windows to the south-facing elevation at Unit M3, Kingsway Business Park, therefore constitutes lawful development, and it is clear that a Certificate of Lawful Proposed Development should be issued under Section 192 of the Town and Country Planning Act 1990 (as amended).

Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

- ☒ Yes
☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact?

- ☒ The agent
☐ The applicant
☐ Other person

Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

- ☐ Yes
☒ No

Authority Employee/Member

With respect to the Authority, is the applicant and/or agent one of the following:

- (a) a member of staff
(b) an elected member
(c) related to a member of staff
(d) related to an elected member

It is an important principle of decision-making that the process is open and transparent.

For the purposes of this question, "related to" means related, by birth or otherwise, closely enough that a fair-minded and informed observer, having considered the facts, would conclude that there was bias on the part of the decision-maker in the Local Planning Authority.

Do any of the above statements apply?

- ☐ Yes
☒ No

Interest in the Land

Please state the applicant's interest in the land

- ☐ Owner
☐ Lessee
☒ Occupier
☐ Other

If Lessee or Occupier, please give details of the owner and state whether they have been informed in writing of this application

***** REDACTED *****

Declaration

I/We hereby apply for Lawful development: Proposed use as described in the questions answered, details provided, and the accompanying plans/drawings and additional information.

I/We confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

I/We also accept that, in accordance with the Planning Portal's terms and conditions:

- Once submitted, this information will be made available to the Local Planning Authority and, once validated by them, be published as part of a public register and on the authority's website;
- Our system will automatically generate and send you emails in regard to the submission of this application.

☒ I / We agree to the outlined declaration

Signed

Joseph Blick

Date

29/01/2025